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SENATE BILL 6482

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State of Washington                      54th Legislature                      1996 Regular Session

By Senators Winsley, Haugen, Rasmussen and Oke

Read first time 01/16/96. Referred to Committee on Labor, Commerce & Trade.

1            AN ACT Relating to veterans' benefits; and amending RCW 41.04.005  
2 and 41.04.010.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 41.04.005 and 1991 c 240 s 1 are each amended to read  
5 as follows:

6            (1) As used in RCW 41.04.005, ~~((41.04.010))~~ 41.16.220, and  
7 41.20.050 "veteran" includes every person, who at the time he or she  
8 seeks the benefits of RCW ~~((28B.40.361))~~ 41.04.005, 41.04.010,  
9 41.16.220, 41.20.050, 41.40.170, 73.04.110, or 73.08.080 has received  
10 an honorable discharge or received a discharge for physical reasons  
11 with an honorable record and who meets at least one of the following  
12 ~~((two))~~ criteria:

13            ~~((1))~~ (a) The person has served between World War I and World War  
14 II or during any period of war as either ~~((a))~~:

15            (i) A member in any branch of the armed forces of the United  
16 States~~((, (b)))~~;

17            (ii) A member of the women's air forces service pilots~~((, or (c)))~~;

18            (iii) A U.S. documented merchant mariner with service aboard an  
19 oceangoing vessel operated by the war shipping administration, the

1 office of defense transportation, or their agents, during the period of  
2 armed conflict, December 7, 1941, to August 15, 1945~~((τ))~~; or  
3 (iv) A civil service crewmember with service aboard a U.S. army  
4 transport service or U.S. naval transportation service vessel in  
5 oceangoing service during the period of armed conflict~~((τ,τ))~~, December  
6 7, 1941, to August 15, 1945; or  
7 ~~((τ))~~ (b) The person has received the armed forces expeditionary  
8 medal, or marine corps and navy expeditionary medal, for opposed action  
9 on foreign soil, for service ~~((α))~~;  
10 (i) In any branch of the armed forces of the United States; or  
11 ~~((β))~~ (ii) As a member of the women's air forces service pilots.  
12 (2) A "period of war" includes:  
13 (a) World War I~~((τ))~~;  
14 (b) World War II~~((τ))~~;  
15 (c) The Korean conflict~~((τ))~~;  
16 (d) The Vietnam era, ~~((and))~~ which was the period beginning August  
17 5, 1964, and ending on May 7, 1975;  
18 (e) The Persian Gulf War, which was the period beginning August 2,  
19 1990, and ending on the date prescribed by presidential proclamation or  
20 law;  
21 (f) The period beginning on the date of any future declaration of  
22 war by the congress and ending on the date prescribed by presidential  
23 proclamation or concurrent resolution of the congress~~((—The "Vietnam~~  
24 era" means the period beginning August 5, 1964, and ending on May 7,  
25 1975)); and  
26 (g) If the participant was awarded the respective campaign badge or  
27 medal, other recent armed conflicts, to include, but not be limited to:  
28 The crisis in Lebanon; the invasion of Grenada; Panama, Operation Just  
29 Cause; Somalia, Operation Restore Hope; and Haiti, Operation Uphold  
30 Democracy.  
31 (3) As used in RCW 41.04.010, "veteran" includes every person as  
32 described in subsections (1) and (2) of this section and also includes  
33 every person who, at the time the person seeks the benefits of RCW  
34 41.04.010, has served more than one hundred eighty days of active duty  
35 not for training, or if less than one hundred eighty days, must be  
36 receiving compensation for a service-connected disability, in any  
37 branch of the armed forces of the United States and who was discharged  
38 or released under conditions other than dishonorable.

1       **Sec. 2.** RCW 41.04.010 and 1974 ex.s. c 170 s 1 are each amended to  
2 read as follows:

3       (~~In all competitive examinations, unless otherwise provided~~  
4 ~~herein, to determine the qualifications of applicants for public~~  
5 ~~offices, positions or employment, the state, and all of its political~~  
6 ~~subdivisions and all municipal corporations, shall give a preference~~  
7 ~~status to all veterans as defined in RCW 41.04.005, by adding to the~~  
8 ~~passing mark, grade or rating only, based upon a possible rating of one~~  
9 ~~hundred points as perfect a percentage in accordance with the~~  
10 ~~following:~~) A veteran, as defined in RCW 41.04.005(2), participating  
11 in all competitive and certain designated promotional examinations with  
12 the state or any of its political subdivisions and all municipal  
13 corporations must receive a veteran's preference. The veteran must  
14 receive a passing examination mark, grade, or rating to receive a  
15 veteran's preference. The veteran's preference shall be a percentage  
16 of the passing examination mark, grade, or rating as follows:

17       (1) Ten percent to a veteran who served in a combat zone during a  
18 period of war as defined in RCW 41.04.005 and who is not receiving  
19 ~~((any veterans))~~ military retirement ~~((payments and said))~~. The  
20 percentage shall be ~~((utilized in said veteran's))~~ added to the passing  
21 mark, grade, or rating of competitive examinations ~~((and not in any~~  
22 ~~promotional examination))~~ until ~~((one of such examinations results in~~  
23 ~~said))~~ the veteran's first appointment ~~((: PROVIDED, That said))~~. The  
24 percentage shall not be utilized in ~~((any))~~ promotional examinations  
25 unless the veteran was called to active military service from  
26 employment with the state or any of its political subdivisions or  
27 municipal corporations, then the percentage shall be added to the first  
28 promotional examination only, after compliance with RCW 73.16.035;

29       (2) Five percent to a veteran who did not serve in a combat zone  
30 during a war period as defined in RCW 41.04.005 or who is receiving  
31 ~~((any veterans retirement payments and said percentage shall be~~  
32 ~~utilized in said veteran's))~~ military retirement. The percentage shall  
33 be added to the mark, grade, or rating of competitive examinations  
34 ~~((only and not in any promotional examination))~~ until ~~((one of such~~  
35 ~~examinations results in said))~~ the veteran's first appointment ~~((: PROVIDED, That said))~~. The  
36 percentage shall not be utilized in ~~((any))~~ promotional examination ~~((: PROVIDED, That said))~~.

37       (3) ~~Five percent to a veteran who, after having previously~~  
38 ~~received))~~ unless the veteran was called to active military service  
39 received))

1 from employment with the state or any of its political subdivisions or  
2 municipal corporations(~~(, shall be called, or recalled, to active~~  
3 ~~military service for a period of one year, or more, during any period~~  
4 ~~of war, for his)~~). Then the percentage shall be added to the first  
5 promotional examination only(~~(, upon)~~) after compliance with RCW  
6 73.16.035 (~~(as it now exists or may hereafter be amended)~~);  
7 (~~(4) There shall be no examination preferences other than those~~  
8 ~~which have been specifically provided for above and all)~~) (3) A  
9 veteran's preference(~~(s above)~~) specified in subsections (1)(~~(7)~~) and  
10 (2) (~~(and (3))~~) of this section must be claimed (~~(by a veteran)~~) within  
11 (~~(eight)~~) ten years of the date of (~~(his)~~) release from active military  
12 service.

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